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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

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IN RE: COMPLAINT OF ADRIAN AVENA,
AS OWNER AND AA COMMERCIAL, LLC.,
AS OWNER PRO HAC VICE, OF THE FISHING
VESSEL CONCH'RD, FOR EXONERATION
FROM OR LIMITATION OF LIABILITY

**AFFIDAVIT OF
PAUL T. HOFMANN**

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STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

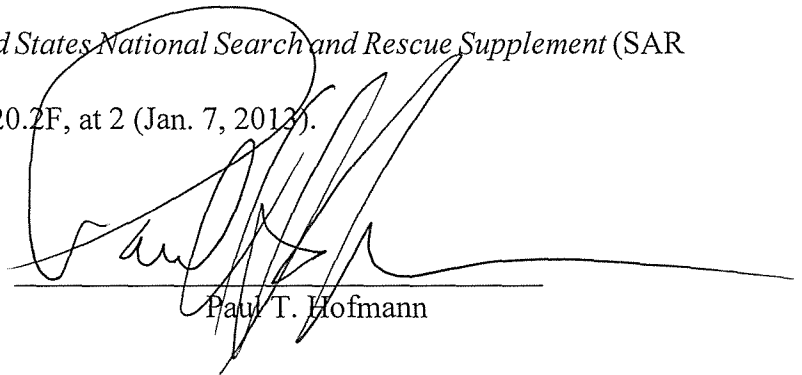
PAUL T. HOFMANN, Esq., being duly sworn, deposes and says:

1. I am a member of the law firm Hofmann & Schweitzer and counsel for the Claimant, Kimberly Wolfe. As such, I am fully familiar with the facts and circumstances set forth below.
2. I submit this affidavit in Opposition to Defendant United States' Motion for Judgment on the Pleadings and Motion to Dismiss.
3. References are made to the various pleadings identified herein as ECF No. [number], ¶ [paragraph]. The specific pleadings referred to are as follows:
 - ECF No. 1 - Adrian Avena As Owner and AA Commercial, LLC Complaint for Exoneration From or Limitation of Liability;
 - ECF No. 18 - Kimberly Wolfe's Answer and Counter Claim against Adrian Avena and AA Commercial, LLC;

- ECF No. 19 - Kimberly Wolfe's Third-Party Complaint against Daniel Avena, The United States of America, CM Hammar AB, and Revere Survival, Inc.;
- ECF No. 33 - Kimberly Wolfe's Amended Third-Party Complaint Against Daniel J. Avena, The United States of America, CM Hammar AB, and Revere Survival, Inc.;
- ECF No. 34 - Answer to Amended Third-Party Complaint by Defendant Daniel J. Avena;
- ECF No. 40 - United States of America's Answer to Amended Third-Party Complaint of Kimberly Wolfe; and
- ECF No. 58 - United States of America's Motion for Judgment on the Pleadings and Motion to Dismiss.

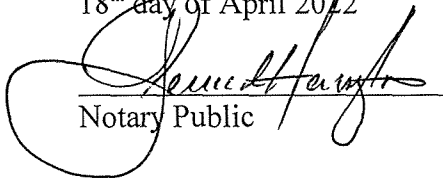
4. Also referenced and attached as Exhibit "1" is an excerpt of the United States Coast Guard Addendum to the United States National Search and Rescue Supplement. U.S. Coast Guard, *Coast Guard Addendum to the United States National Search and Rescue Supplement* (SAR Addendum), COMDTINST M161320.2F, at 2 (Jan. 7, 2013).

Dated: April 18, 2022



Paul T. Hofmann

Sworn to before me this
18th day of April 2022



Notary Public

GERARD HARRINGTON
Notary Public, State of New York
No. 01HA6102369
Qualified in New York County
Commission Expires Dec. 8, 2023